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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
09/836,855 04/16/2001		Eric Rose	TACOBEL.022A	5107		
20995	7590 05/24/2006		EXAMINER			
	ARTENS OLSON &	KRAMER, JAMES A				
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IRVINE, CA 92614			3627	3627		

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application	No.	Applicant(s)			
Office Action Summary		09/836,855		ROSE, ERIC			
		Examiner		Art Unit			
		James A. Kra		3627			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
WHIC - External after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REF CHEVER IS LONGER, FROM THE MAILING nsions of time may be available under the provisions of 37 CFR SIX (6) MONTHS from the mailing date of this communication. o period for reply is specified above, the maximum statutory perior re to reply within the set or extended period for reply will, by state reply received by the Office later than three months after the may ed patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS 1.136(a). In no event, od will apply and will ex tute, cause the applicat	COMMUNICATION however, may a reply be tim cpire SIX (6) MONTHS from to tion to become ABANDONED	l. ely filed the mailing date of this co D (35 U.S.C. § 133).			
Status							
2a)	Responsive to communication(s) filed on 20 This action is FINAL . 2b) To Since this application is in condition for allow closed in accordance with the practice under	his action is non vance except for	formal matters, pro		merits is		
Dispositi	on of Claims						
5)☐ 6)⊠ 7)☐ 8)☐ Applicati 9)☐ 10)☐	Claim(s) 1-11 is/are pending in the application 4a) Of the above claim(s) is/are withd Claim(s) is/are allowed. Claim(s) 1-11 is/are rejected. Claim(s) is/are objected to. Claim(s) are subject to restriction and on Papers The specification is objected to by the Examination The drawing(s) filed on is/are: a) a Applicant may not request that any objection to the Replacement drawing sheet(s) including the correction The oath or declaration is objected to by the	rawn from consider of the consideration of the c	uirement. objected to by the Eneld in abeyance. See if the drawing(s) is obje	37 CFR 1.85(a). ected to. See 37 CF			
Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.							
2) 🔲 Notice 3) 🔯 Inform	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449 or PTO/SB/0 No(s)/Mail Date <u>Aug. 13, 2001</u> .		Interview Summary (Paper No(s)/Mail Dat Notice of Informal Pa Other:	te	-152)		

DETAILED ACTION

Response to Arguments

Applicant's arguments, see Amendment after Non-Final Rejection, filed 3/20/06, with respect to the rejection(s) of claim(s) 1-11 under 35 USC 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

Applicant asserted that there was no motivation to modify Alpdemir. Examiner believes that the rejection as stated (i.e. Alpdemir in view of Hayman) renders the motivation unclear. As a result the claims are being rejected in this Office Action as Hayman in view of Alpdemir. Examiner believes that the switch of order, and hence the modification of Hayman will make the rejection clear.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayman in view of Alpdemir.

Hayman teaches a point-of-sale (POS) register in which food orders are entered (see for example the paragraph bridging columns 1 and 2). Examiner notes that a cash register is a point-of-sale.

Hayman further teaches a plurality of order modules (see for example the paragraph bridging columns 1 and 2).

Hayman further teaches a router connected between said POS register and order modules for selectively routing said POS register to a particular one of said modules (see for example the paragraph bridging columns 1 and 2).

Examiner notes that Hayman's "work stations where such food item is to be prepared" represents Applicant order module. Examiner further notes that as food is ordered in Hayman and food prepare uses the module to receive this order (via CRT) and then use CRT to indicate completion of the order (see column 1, line 68 – column 2, line 11).

Hayman does not teach a text-to-speech synthesizer for converting the POS entries into audible speech; a speech-to-text circuit for recognizing and converting voice commands into control signals and whereby a restaurant worker speaks an audible command into a microphone and receives on headphones audible synthesized voice reciting an order entered into said POS register without the worker having to view any visual display.

Alpdemir teaches a speech-to-text conversion engine converting speech-based input commands and data received from an external device over a communication link into text-based commands and data; a data base storing a plurality of data items; a search engine searching the database for a particular data item in response to the text-based command and data; a text-to-speech conversion engine generating a speech-based representation of the particular data item identified in the database search; and a speech server for communicating the speech-based representation of the particular data item to the external device (see paragraph bridging columns 2 and 3).

Alpdemir teaches an exemplary Speech Server which includes a Dialogic Antares board-based automatic speech recognizer (speech-to-text) that translates the voice data into ASCII text (or another code or symbols) that identifies the spoken words and returns a text or other symbolic representation of the results to the application. The application accesses, via for example a T-1 line or faster Internet connection, the database of the Information Center. Real-time (or near-real-time), active vocabularies are generated at run-time using the database's ASCII text or symbols. The application uses the ASCII text from the database, passes it to a second Antares board running a text-to-speech (TTS) algorithm. The TTS algorithm generates the final voice or audio information that is played to the caller (see column 5, lines 29-42).

Examiner notes that speech recognition is known to enable operators to request information and control systems when their hands and eyes are busy (such as in a restaurant environment). In addition, voice input requires much less user training than do systems relying on complex keyboards, switches, push buttons and other similar devices (see US Patent number 4,624,008 to Vensko et al.; column 1, lines 10-19).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the interaction between the food preparers and the CRT order modules of Hayman (i.e. food prepare uses the module to receive orders (via CRT) and then use CRT to indicate completion of the order (see column 1, line 68 – column 2, line 11)) by incorporating a Speech Server as taught by Alpdemir. Such a modification would allow the food preparers to speak a command, the order module would recognize the command and then present the prepares with the information requested, such as the next order they need to prepare.

One of ordinary skill in the art at the time of the invention would have been motivated to modify the references in order to enable operators to request information and control systems when their hands and eyes are busy as well as to provide a system that would require much less training.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (571) 272 6783. The examiner can normally be reached on Monday - Friday (8AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272 6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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James A. Kramer Examiner

Art Unit 3627

jak 5/19/06